

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46138 of 2016

Arising Out of PS.Case No. -251 Year- 2012 Thana -AHIAPUR District- MUZAFFARPUR

=====

1. Achhelal Sahni
2. Lal Babu Sahni
3. Rajkumar Sahni
4. Amod Sahni @ Ashok Sahni All sons of Sukan Sahni All residents of Chandwara Ghat, P.S. - Ahiyapur, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 28-11-2016 Learned counsel for the petitioners submits that

Petitioner no. 1, Achhelal Sahni, Petitioner no. 2, Lal Babu Sahni and Petitioner no. 3, Rajkumar Sahni have already been arrested, therefore anticipatory bail petition of the petitioners above named has become infructuous.

Accordingly, the anticipatory bail petition of Petitioner Nos. 1, 2 and 3 is dismissed as has become infructuous.

Heard both sides.

Petitioner No. 4 Amod Sahni @ Ashok Sahni apprehends his arrest in Ahiyapur P.S. Case No. 251/2012, corresponding to S.Tr. No. 512/2012, registered for the offences

punishable under Section 307 and other Sections of the Indian Penal Code.

Learned counsel for the petitioner submits that six persons are named in the FIR but no specific allegation of assault is made against the petitioners. Specific allegation of assault is made against Prem Sahni and Raj Kumar Sahni. Prem Sahni has already been enlarged on regular bail vide order passed in Cr. Misc. No. 30134/2012. The case of the petitioner Amod Sahni stands on better footing, *but* it appears that the case is of the year 2012 and the petitioner has been evading his appearance in the Court.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner Amod Sahni on anticipatory bail. Accordingly, the same is rejected.

If the petitioner Amod Sahni surrenders before the court below within four weeks from the date of receipt/production of a copy of this order and prays for regular bail, his prayer shall be considered taking into consideration that Prem Sahni has already been enlarged on regular bail. The court below shall dispose of the bail petition preferably on the same day.

(Prabhat Kumar Jha, J.)

Rakhi

U		T	
---	--	---	--